IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 897 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

UNITED INDIA INSURANCE CO.LTD.

Versus

HANSABEN WD/O BAHADURBHAI PATEL

Appearance:

1. Misc.Civil Application No. 897 of 2004

MR PV NANAVATI for Petitioner No. 1

MR VIBHUTI NANAVATI for Petitioner No. 1

RULE SERVED for Respondent No. 1-6

CORAM : HON'BLE MR.JUSTICE J.R.VORA

Date of decision: 24/06/2004

ORAL JUDGEMENT

1. Heard learned Advocate Mr.P.V.Nanavati for the

applicant.

2. This application is preferred by original opponent No.3 United Indian Insurance Company Limited against original applicant and opponents No. 1 and 2 of Motor Claim Petition No. 80 of 2004 pending before Motor Accident Claims Tribunal, Navsari, under Section 24 of the Civil Procedure code, to transfer the said Motor Accident Claim Petition No. 80 of 2004 to Motor Accident Claims Tribunal, Surat.

3. Having regard to the grounds urged on behalf of the applicant and having gone through the facts of the case, it becomes clear that the ground that other allied so many matters arising out of the same accident are pending before the Motor Accident Claims Tribunal, Surat, for disposal, and that one of the allied matter being Motor Accident Claim Petition No.78 of 2004 was transferred to Motor Accident Claims Tribunal, Surat, by order of this Court on 28th July, 2004 in Misc. Civil Application No. 596 of 2004, is sufficient to grant the relief claimed in the petition.

4. In the result, this Application is allowed. Motor Accident Claim Petition No.80 of 2004 pending before the Motor Accident Claims Tribunal at Navsari is directed to be transferred to Motor Accident Claims Tribunal, Surat. Motor Accident Claims Tribunal at Navsari is further directed to transmit Record and Proceedings of said Motor Accident Claim Petition No.80 of 2004 immediately to Motor Accident Claims Tribunal at Surat. On receiving the Record and Proceedings, the Motor Accident Claims Tribunal, Surat, shall register such Motor Accident Claim Petition No. 80 of 2004 and deal with and dispose of the same according to law. Rule made absolute. No costs.

(J.R. Vora, J.)

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